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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/845,947

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Jack T. Burnett

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07/03/2008

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

PHILLIPS, HASSAN A

ART UNIT

PAPER NUMBER

2151

NOTIFICATION DATE

DELIVERY MODE

07/03/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 09/845,947	<b>Applicant(s)</b> BURNETT ET AL.	
	<b>Examiner</b> HASSAN PHILLIPS	<b>Art Unit</b> 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-13 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-13 and 18-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to communications filed March 31, 2008.

#### ***Specification***

2. The amendments made to the specification filed March 31, 2008 have been received and considered by the examiner. The amendments appear proper and will be entered.

#### ***Response to Arguments***

3. Applicant's arguments filed March 31, 2008 have been fully considered but they are not persuasive. Applicant argued: Alcorn does not disclose or suggest the claimed "providing unregistered attendees authority to view predetermined portions of the virtual events". Examiner respectfully disagrees with applicant's assertion.

4. With regards to applicant's remarks, examiner maintains Alcorn discloses the claimed "providing unregistered attendees authority to view predetermined portions of the virtual events", where Alcorn teaches providing guest speakers/subject matter experts authority to view predetermined portions of the virtual events, (see Alcorn col. 19, lines 17-28, and col. 27, lines 12-32). While Alcorn discloses assigning the role of guest speaker/subject matter expert to a user by entering personal information such as name, address, etc., and a user name and password, examiner has interpreted applicant's claimed "unregistered attendees" as the guest speaker/subject matter expert

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taught by Alcorn since the guest speaker/subject matter expert is not a registered student or instructor of the class participating in the virtual event, (see Alcorn col. 19, lines 17-28, also see col. 21, line 65-col. 22, line 10). Rather, as the title suggests, the guest speaker/subject matter expert is merely a "guest" of the class.

5. Accordingly the references supplied by the examiner in the previous office action covers the claimed limitations. The rejections are thus sustained. Applicant is requested to review the prior art of record for further consideration.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 7-13, 18-24, are rejected under 35 U.S.C. 102(e) as being anticipated by Alcorn.

8. In considering claims 7 and 18, Alcorn discloses a method for presenting virtual events (i.e. virtual classroom sessions) through a network interfaced with the

Internet, the method comprising: authorizing plural organizations (i.e. institutions) access to the network by an organization administrator (i.e. enterprise administrator), wherein the organization administrator is granted authority to grant access by an administrator (i.e. person/entity offering the institution a licensing program for three tier functionality), (see col. 10, line 61-col. 11, line 50, col. 19, lines 17-28, and col. 24, lines 14-24); each organization authorizing the creation of one or more virtual events through the network, each virtual event having an associated event champion (i.e. instructor), (see col. 17, lines 20-38 and col. 19, lines 17-28); establishing a virtual event architecture for each virtual event by the associated event champion, the virtual event architecture identifying one or more content contributors (i.e. students), (see col. 19, lines 17-51, also see "Participant Information" in the table in col. 20); and uploading content by the content contributors from the Internet, the associated event champion authorized to approve the uploaded content, (see col. 19, lines 17-51, also see "Access Control" in the table in col. 20); and providing unregistered attendees (i.e. guest speakers/subject matter experts) authority to view predetermined portions of the virtual events, (see col. 19, lines 17-28, and col. 27, lines 12-32).

9. In considering claims 8 and 19, Alcorn further discloses defining a predetermined time period for presentation of a virtual event (i.e. calendar event, course task, quiz) through the Internet, (col. 18, lines 39-60, col. 22, lines 35-57); and authorizing predetermined attendees (i.e. students) to access the virtual event during

the predetermined time period, (col. 18, lines 39-60, col. 22, lines 35-57, also see col. 27, lines 12-32).

10. In considering claims 9 and 20, Alcorn further discloses establishing membership to the network for an attendee before authorizing access by that attendee to the virtual event, (col. 27, lines 12-32, also see col. 18, lines 39-60 and col. 22, lines 35-57).

11. In considering claims 10 and 21, Alcorn further discloses wherein establishing the virtual event architecture further comprises identifying one or more sponsors (i.e. the institution that has licensed the product) of a virtual event, (col. 13, lines 33-49, also see col. 17, lines 32-38 and Fig. 16).

12. In considering claims 11 and 22, Alcorn further discloses wherein establishing the virtual event architecture further comprises identifying one or more exhibitors (i.e. students) of the virtual event, (see "Participant Information" in the table in col. 20).

13. In considering claims 12 and 23, Alcorn further discloses previewing by the event champion of content (i.e. incoming questions) loaded to a virtual event, (see col. 19, lines 29-51, also see "Incoming Questions" in the table in col. 20); and authorizing the previewed content by the event champion for presentation in the virtual event, (see "Access Control" in the table in col. 20).

14. In considering claims 13 and 24, Alcorn further discloses wherein the content comprises a video presentation, (col. 12, lines 11-21).

### ***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HASSAN PHILLIPS whose telephone number is (571)272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hassan Phillips  
Examiner, Art Unit 2151  
/John Follansbee/  
Supervisory Patent Examiner, Art Unit 2151